

Message Text

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FM USDEL SALT TWO GENEVA

TO SECSTATE WASHDC PRIORITY 2388

S E C R E T SECTION 1 OF 4 SALT TWO GENEVA 0008

EXDIS/SALT

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SPECAT EXCLUSIVE FOR SECDEF

E.O. 11652: XGDS-1

TAGS: PARM

SUBJECT: POSSIBLE US DRAFT AGREEMENT (SALT TWO-501)

1. FOR THE INFORMATION OF WASHINGTON AND IN ORDER TO HAVE A COMMON REFERENCE POINT BETWEEN WASHINGTON AND THE DELEGATION, THERE FOLLOWS THE TEXT OF A DRAFT AGREEMENT ON WHICH I WAS WORKING PRIOR TO MY DEPARTURE FROM WASHINGTON. THE SUBSTANCE OF THIS TEXT WAS BASED UPON MY OWN ASSUMPTIONS OF THE POSITIONS LIKELY TO BE APPROVED FOR OUR NEGOTIATIONS HERE AND WAS DESIGNED (OF COURSE WITH THE EXCEPTION OF FOOTNOTES) FOR POSSIBLE TABLING WITH SOVDEL AS DOCUMENT FROM WHICH WE COULD NEGOTIATE. THIS TEXT TAKES INTO ACCOUNT INFORMAL COMMENTS WHICH I HAD RECEIVED UP TO THE TIME OF MY DEPARTURE FROM SOME MEMBERS OF THE VERIFICATION PANEL, BUT I DID NOT SEEK, NOR HAS TEXT RECEIVED ANY FORMAL INTERDEPARTMENTAL CLEARANCE OR APPROVAL. (IN TRANSMISSION FOOTNOTES ANNOTATING TEXT ARE CONTAINED AT END OF TEXT.)

AGREEMENT (1) BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF STRATEGIC OFFENSIVE ARMS

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THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS, HEREINAFTER REFERRED TO AS THE PARTIES,

PREAMBLE

DETERMINED TO CONTINUE THEIR EFFORTS BEGUN WITH THE

TREATY ON THE LIMITATION OF ANTI BALLISTIC MISSILE SYSTEMS
AND THE INTERIM AGREEMENT ON CERTAIN MEASURES WITH RESPECT
TO THE LIMITATION OF STRATEGIC OFFENSIVE ARMS (2) BOTH OF
WHICH ENTERED INTO FORCE ON OCTOBER 3, 1972.
MINDFUL OF THEIR OBLIGATIONS UNDER ARTICLE VI OF THE
TREATY ON THE NON PROLIFERATION OF NUCLEAR WEAPONS, (3)
CONVINCED THAT THE LIMITATIONS ON STRATEGIC ARMS IN THIS
AGREEMENT WILL CONTRIBUTE TO THE CREATION OF MORE FAVORABLE
CONDITIONS FOR FURTHER NEGOTIATIONS ON
LIMITING AND REDUCING STRATEGIC ARMS AS WELL AS TO THE
RELAXATION OF INTERNATIONAL TENSION AND THE STRENGTHENING OF
TRUST BETWEEN STATES (4)
CONVINCED THAT FURTHER MEASURES LIMITING STRATEGIC
OFFENSIVE ARMS WOULD BE A SUBSTANTIAL FACTOR IN LEADING TO
A DECREASE IN THE RISK OF OUTBREAK OF WAR INVOLVING
NUCLEAR WEAPONS, (5)
HAVE AGREED AS FOLLOWS:

ARTICLE I

EACH PARTY UNDERTAKES TO LIMIT STRATEGIC OFFENSIVE
ARMS AND TO ADOPT OTHER MEASURES IN ACCORDANCE WITH THE
PROVISIONS OF THIS AGREEMENT.

ARTICLE II

FOR THE PURPOSE OF THIS AGREEMENT:

(A) A LAND BASED (6) INTERCONTINENTAL BALLISTIC
MISSILE (ICBM) IS ANY LAND BASED BALLISTIC
MISSILE CAPABLE OF RANGES IN EXCESS OF THE
SHORTEST DISTANCE BETWEEN THE NORTHEASTERN
BORDER OF THE CONTINENTAL US AND THE
NORTHWESTERN BORDER OF THE USSR (7). (5,000 KILOMETERS)

(B) A SUBMARINE LAUNCHED BALLISTIC MISSILE (SLBM)
IS ANY BALLISTIC MISSILE CAPABLE OF RANGES IN
EXCESS OF 150 KILOMETERS AND EITHER INSTALLED ON A
NUCLEAR POWERED SUBMARINE OR FIRST FLIGHT TESTED
SINCE 1965 AND INSTALLED ON ANY SUBMARINE
REGARDLESS OF TYPE. (8)

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(C) HEAVY BOMBERS CURRENTLY CONSIST OF: FOR THE
UNITED STATES, B-52 AND B-1 BOMBER AIRCRAFT; AND
FOR THE SOVIET UNION, TUPOLEV 95 AND MYASISHCHEV
BOMBER AIRCRAFT AND TUPOLEV VARIABLE GEOMETRY
BOMBER AIRCRAFT (BACKFIRE). FUTURE TYPES OF AIRCRAFT TO BE
INCLUDED AS HEAVY BOMBERS SHALL BE THE
SUBJECT OF CONSULTATION ON A CASE BY CASE
BASIS. (9)

(D) AN AIR LAUNCHED BALLISTIC MISSILE (ALBM) IS ANY
BALLISTIC MISSILE INSTALLED IN OR ON A HEAVY
BOMBER AND CAPABLE OF RANGES IN EXCESS OF
600 KILOMETERS. (10) (11)

(E) A MISSILE LAUNCHER IS ANY DEVICE OR EQUIPMENT
CAPABLE OF LAUNCHING A MISSILE.

(F) A REENTRY VEHICLE IS ANY DEVICE WHICH IS CAPABLE OF CARRYING A NUCLEAR WARHEAD FROM ABOVE THE ATMOSPHERE TO A POINT WITHIN THE ATMOSPHERE.

(G) A MULTIPLE INDEPENDENTLY TARGETABLE REENTRY VEHICLE (MIRV) SYSTEM IS ANY DISPENSING MECHANISM, TOGETHER WITH ITS REENTRY VEHICLES, WHICH IS CAPABLE OF RELEASING TWO OR MORE INDEPENDENTLY TARGETABLE REENTRY VEHICLES FROM A BALLISTIC MISSILE. REENTRY VEHICLES ARE CONSIDERED TO BE INDEPENDENTLY TARGETABLE IF BOTH THEIR DOWN RANGE AND CROSS RANGE SEPARATIONS AT IMPACT CAN BE CONTROLLED INDEPENDENTLY.

(H) AN ICBM, SLBM OR ALBM SHALL BE CONSIDERED TO BE EQUIPPED WITH A MIRV SYSTEM IF ITS BOOSTER HAS BEEN FLIGHT TESTED WITH A MIRV SYSTEM(12)

(I) A HEAVY ICBM IS ANY ICBM HAVING A VOLUME (THROW WEIGHT) (SIZE) PAYLOAD) GREATER THAN THE LARGEST (NON HEAVY) LIGHT ICBM CURRENTLY DEPLOYED.(13)

ARTICLE III

1. FROM OCTOBER 3, 1977 EACH PARTY UNDERTAKES TO LIMIT ICBM, SLBM, AND ALBM LAUNCHERS AND HEAVY BOMBERS TO AN AGGREGATE NUMBER OF 2,400. WITHIN THIS LIMITATION AND SUBJECT TO THE LIMITATION OF PARAGRAPH 1 OF ARTICLE VI EACH PARTY WILL BE FREE TO DETERMINE THE COMPOSITION OF THE AGGREGATE AMONG ICBM, SLBM AND ALBM LAUNCHERS AND HEAVY BOMBERS.(14)

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2. (A) THE LIMITATION SET FORTH IN THIS ARTICLE

SHALL APPLY TO (15):

(1) FIXED ICBM (16) LAUNCHERS THAT ARE EITHER OPERATIONAL OR UNDER CONSTRUCTION;

(2) MOBILE ICBM LAUNCHERS (17) WHEN SUCH LAUNCHERS REACH OPERATING UNITS OR BASES; (18)

(3) SLBM LAUNCHERS WHEN THE SUBMARINE CARRYING SUCH SLBM LAUNCHERS BEGINS SEA TRIALS ;

(4) HEAVY BOMBERS THAT ARE EITHER OPERATIONAL OR UTILIZED AS TRAINING AIRCRAFT WHEN SUCH BOMBERS REACH OPERATING BASES.

(5) ALBM LAUNCHERS WHEN THE HEAVY BOMBER EQUIPPED WITH SUCH LAUNCHERS REACHES AN OPERATING BASE;

(B) IN ADDITION, THE LIMITATION SET FORTH IN THIS ARTICLE SHALL APPLY TO ICBM, SLBM AND ALBM LAUNCHERS AND HEAVY BOMBERS WHICH ARE:

(1) UNDERGOING OVERHAUL, REPAIR OF CONVERSION(19)

(2) IN STORAGE OR RESERVE(20).

3. IN THE CASE OF ALBM LAUNCHERS, EACH OF SUCH LAUNCHERS INSTALLED ON A HEAVY BOMBER SHALL BE INCLUDED IN THE SECRET

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AGGREGATE LIMITATION SET FORTH IN THIS ARTICLE(21)

ARTICLE IV

1. WITHIN THE AGGREGATE LIMITATION SET FORTH IN ARTICLE III, EACH PARTY UNDERTAKES TO LIMIT LAUNCHERS FOR LAUNCHING ICBMS, SLBM AND ALBMS EQUIPPED WITH MIRV SYSTEMS(22) TO AN AGGREGATE NUMBER OF 1,320 (23). WITHIN THIS LIMITATION AND SUBJECT TO THE LIMITATION OF PARAGRAPH 1 OF ARTICLE VI EACH PARTY SHALL BE FREE TO DETERMINE THE COMPOSITION OF THE AGGREGATE AMONG ICBM, SLBM AND ALBM LAUNCHERS(24).

2. THE PROVISIONS OF PARAGRAPHS 2 AND 3 OF ARTICLE III SHALL APPLY WHERE APPROPRIATE FOR THE PURPOSE OF DETERMINING THE AGGREGATE NUMBER SET FORTH IN PARAGRAPH 1 OF THIS ARTICLE.

3. WITH RESPECT TO THE CONVERSION OF LAUNCHERS FOR MISSILES NOT EQUIPPED WITH MIRV SYSTEMS TO LAUNCHERS FOR MISSILES EQUIPPED WITH MIRV SYSTEMS, THE LIMITATION SET FORTH IN THIS ARTICLE SHALL APPLY TO (25):

(A) FIXED ICBM LAUNCHERS WHEN CONVERSION BEGINS;

(B) MOBILE ICBM LAUNCHERS WHEN SUCH LAUNCHERS REACH OPERATING UNITS OR BASES;

(C) SLBM LAUNCHERS WHEN THE SUBMARINE CARRYING SUCH LAUNCHERS RESUMES OPERATIONAL DEPLOYMENT;

(D) ALBM LAUNCHERS WHEN THE HEAVY BOMBER EQUIPPED WITH SUCH LAUNCHERS REACHES AN OPERATING BASE.

ARTICLE V

1. TO ENHANCE ASSURANCE OF THE EFFECTIVENESS OF THE LIMITATIONS SET FORTH IN THIS AGREEMENT, THE PARTIES UNDERTAKE TO:(26)
(TO BE AGREED)

ARTICLE VI

1. THE PARTIES UNDERTAKE NOT TO START CONSTRUCTION OF ADDITIONAL FIXED ICBM LAUNCHERS OR TO RELOCATE EXISTING FIXED LAUNCHERS.(27).
2. THE PARTIES UNDERTAKE NOT TO CONVERT LAUNCHERS FOR (NON HEAVY) LIGHT ICBMS OR FOR ICBMS OF OLDER TYPES DEPLOYED PRIOR TO 1964, INTO LAUNCHERS FOR HEAVY ICBMS OF TYPES DEPLOYED AFTER THAT TIME.(28)
3. EACH PARTY UNDERTAKES NOT TO INCREASE THE ORIGINAL LENGTH
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OR DIAMETER OF ANY FIXED ICBM SILO LAUNCHERS BY MORE THAN 15 PERCENT . ANY SUCH INCREASE SHALL BE LIMITED TO ONE DIMENSION, EITHER LENGTH OR DIAMETER.(29)

4. THE PARTIES UNDERTAKE NOT TO HAVE SIMULTANEOUSLY UNDER CONSTRUCTION SLBM, MOBILE ICBM, OR ALBM LAUNCHERS OR HEAVY BOMBERS IN EXCESS OF A NUMBER CONSISTENT WITH A NORMAL CONSTRUCTION, MODERNIZATION AND REPLACEMENT SCHEDULE.(30)

5. EACH PARTY UNDERTAKES:

(A) NOT TO SUPPLY ICBM DEPLOYMENT FIELDS, UNITS OR BASES WITH MORE THAN ONE MISSILE FOR EACH LAUNCHER, PLUS AN ADDITIONAL NUMBER OF MISSILES CONSISTENT WITH NORMAL MAINTENANCE, TRAINING, AND REPLACEMENT REQUIREMENTS;

(B) NOT TO PROVIDE STORAGE FOR ADDITIONAL MISSILES AT ICBM LAUNCH SITES;

(C) NOT TO PROVIDE ICBM LAUNCHERS WITH RAPID RELOAD CAPABILITIES.

ARTICLE VII

1. THE AGGREGATE LIMITATIONS SET FORTH IN ARTICLES III AND IV SHALL NOT APPLY TO ICBM AND SLBM LAUNCHERS USED ONLY FOR RESEARCH, DEVELOPMENT, TESTING OR TRAINING, AND LAUNCHERS FOR SPACE FLIGHTS.(31) THE TOTAL NUMBER OF LAUNCHERS FOR SUCH PURPOSES SHALL NOT EXCEED --- FOR EACH PARTY.(32)

2. THE PARTIES AGREE THAT THERE WILL BE NO SIGNIFICANT INCREASE IN THE NUMBER OF RESEARCH, DEVELOPMENT, TEST AND TRAINING LAUNCHERS FOR HEAVY LAND BASED ICBMS AND THAT CONSTRUCTION OR CONVERSION OF ICBM LAUNCHERS AT TEST RANGES SHALL BE UNDERTAKEN ONLY FOR PURPOSES OF RESEARCH, DEVELOPMENT, TESTING OR TRAINING.(33)

(THIS DRAFT CONTAINS NO ARTICLE BANNING " OTHER SYSTEMS" SUCH AS CRUISE MISSILES, BALLISTIC MISSILES ON WATERBORNE VEHICLES OTHER THAN SUBMARINES AND BALLISTIC MISSILES ON THE SEABED IN THE 12 MILE ZONE AND ON THE BEDS OF INTERNAL WATERS. SUCH AN ARTICLE COULD BE DEVELOPED AT A LATER STAGE

TO INCLUDE SUCH SYSTEMS AND ANY OTHER AGREED LIMITATIONS.)

ARTICLE VIII

SUBJECT TO THE PROVISIONS OF THIS AGREEMENT, MODERNIZATION
AND REPLACEMENT OF STRATEGIC OFFENSIVE ARMS MAY BE

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CARRIED OUT.(34)

ARTICLE IX

1. THE PARTIES UNDERTAKE TO BEGIN AT THE EARLIEST
PRACTICABLE DATE FOLLOWING THE ENTRY INTO FORCE OF THIS
AGREEMENT ACTIVE NEGOTIATIONS ON REDUCTIONS OF THE
AGGREGATE LIMITATIONS ESTABLISHED IN ARTICLES III AND IV OF THIS
AGREEMENT, AS WELL AS ON OTHER LIMITATIONS OF STRATEGIC
ARMS.(35)

2. NO LATER THAN THREE YEARS PRIOR TO THE EXPIRATION
OF THIS AGREEMENT THE PARTIES SHALL TOGETHER CONDUCT A
REVIEW OF THIS AGREEMENT.(36)

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ARTICLE X

MISSILE LAUNCHERS AND HEAVY BOMBERS IN EXCESS OF THE
AGGREGATE LIMITATIONS SPECIFIED IN ARTICLE III AND IV OF THIS
AGREEMENT, AS WELL AS MISSILE LAUNCHERS PROHIBITED BY THIS
AGREEMENT, SHALL BE DESTROYED OR DISMANTLED UNDER AGREED
PROCEDURES. ADDITIONALLY, UNTIL A MISSILE LAUNCHER SUBJECT TO
THE AGGREGATE LIMITATION OF ARTICLE IV IS DESTROYED OR DIS-
MANTLED PURSUANT TO AGREED PROCEDURES IT SHALL CONTINUE TO

SUBJECT TO SUCH LIMITATIONS.(37)

ARTICLE XI

1. FOR THE PURPOSE OF PROVIDING ASSURANCE OF COMPLIANCE WITH THE PROVISIONS OF THIS AGREEMENT,

EACH PARTY SHALL USE NATIONAL TECHNICAL MEANS OF VERIFICATION AT ITS DISPOSAL IN A MANNER CONSISTENT WITH GENERALLY RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW.

2. EACH PARTY UNDERTAKES NOT TO INTERFERE WITH THE NATIONAL TECHNICAL MEANS OF VERIFICATION OF THE OTHER PARTY OPERATING IN ACCORDANCE WITH PARAGRAPH 1 OF THIS ARTICLE (38).

3. EACH PARTY UNDERTAKES NOT TO USE DELIBERATE CONCEALMENT MEASURES OR FLIGHT TEST PRACTICES WHICH IMPEDE
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VERIFICATION BY NATIONAL TECHNICAL MEANS OF COMPLIANCE WITH THE PROVISIONS OF THIS AGREEMENT. THIS OBLIGATION SHALL NOT REQUIRE CHANGES IN CONSTRUCTION, ASSEMBLY, CONVERSION, OVERHAUL, OR FLIGHT TEST PRACTICES IN USE PRIOR TO THE DATE OF THE ENTRY INTO FORCE OF THE INTERIM AGREEMENT.(39)

ARTICLE XII

1. TO PROMOTE THE OBJECTIVES AND IMPLEMENTATION OF THE PROVISIONS OF THIS AGREEMENT, THE PARTIES SHALL USE THE STANDING CONSULTATIVE COMMISSION ESTABLISHED BY THE MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS REGARDING THE ESTABLISHMENT OF A STANDING CONSULTATIVE COMMISSION, SIGNED DECEMBER 21, 1972.

2. WITHIN THE FRAME WORK OF THE STANDING CONSULTATIVE COMMISSION, WITH RESPECT TO THIS AGREEMENT, THE PARTIES SHALL:

(A) AT THE FIRST SCC SESSION FOLLOWING THE ENTRY INTO FORCE OF THIS AGREEMENT, AND TWICE EACH YEAR THEREAFTER, EXCHANGE INFORMATION ON THE NUMBERS BY TYPE OF THOSE ARMS LIMITED BY THIS AGREEMENT, AS DETERMINED BY ARTICLES III AND IV;

(B) AGREE UPON PROCEDURES AND DATES FOR DESTRUCTION, DISMANTLING, AND REPLACEMENT, WITH NOTIFICATION OF ACTIONS TAKEN BEING GIVEN TWICE ANNUALLY,(40) OF STRATEGIC OFFENSIVE ARMS IN CASES PROVIDED FOR BY THE PROVISIONS OF THIS AGREEMENT;(41)

(C) CONSIDER QUESTIONS CONCERNING COMPLIANCE WITH THE OBLIGATIONS ASSUMED AND RELATED SITUATIONS WHICH MAY BE CONSIDERED AMBIGUOUS;

(D) PROVIDE ON A VOLUNTARY BASIS SUCH INFORMATION AS EITHER PARTY CONSIDERS NECESSARY TO ASSURE CONFIDENCE IN COMPLIANCE WITH THE OBLIGATIONS ASSUMED;

(E) CONSIDER QUESTIONS INVOLVING UNINTENDED INTERFERENCE WITH NATIONAL TECHNICAL MEANS OF

VERIFICATION;

(F) CONSIDER POSSIBLE CHANGES IN THE STRATEGIC
SITUATION WHICH HAVE A BEARING ON THE PROVISIONS OF THIS AGREEMENT;

(G) CONSIDER, AS APPROPRIATE, POSSIBLE PROPOSALS FOR
FURTHER INCREASING THE VIABILITY OF THIS AGREEMENT,
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INCLUDING PROPOSALS FOR AMENDMENTS IN ACCORDANCE WITH THE
PROVISIONS OF THIS AGREEMENT;

(H) CONSIDER, AS APPROPRIATE, PROPOSALS FOR
FURTHER MEASURES LIMITING STRATEGIC ARMS.(42)

ARTICLE XIII

EITHER PARTY MAY PROPOSE AMENDMENTS TO THIS AGREEMENT. AGREED
AMENDMENTS SHALL ENTER INTO FORCE IN
ACCORDANCE WITH THE PROCEDURES GOVERNING THE ENTRY INTO
FORCE OF THIS AGREEMENT.(43)

ARTICLE XIV

EACH PARTY SHALL, IN EXERCISING ITS NATIONAL SOVEREIGNTY,
HAVE THE RIGHT TO WITHDRAW FROM THIS AGREEMENT IF IT
DECIDES THAT EXTRAORDINARY EVENTS RELATED
TO THE SUBJECT MATTER OF THIS AGREEMENT HAVE JEOPARDIZED
ITS SUPREME INTERESTS. IT SHALL GIVE NOTICE
OF ITS DECISION TO THE OTHER PARTY SIX MONTHS PRIOR TO WITH-
DRAWAL FROM THE AGREEMENT. SUCH NOTICE SHALL INCLUDE
A STATEMENT OF THE EXTRAORDINARY EVENTS THE NOTIFYING PARTY
REGARDS AS HAVING JEOPARDIZED ITS SUPREME INTERESTS.(44)

ARTICLE XV

1. (THIS TREATY SHALL BE SUBJECT TO RATIFICATION IN
ACCORDANCE WITH THE CONSTITUTIONAL PROCEDURES OF EACH
PARTY. THE TREATY SHALL ENTER INTO FORCE ON THE DAY OF
THE EXCHANGE OF INSTRUMENTS OF RATIFICATION) (45) (THIS
AGREEMENT SHALL ENTER INTO FORCE UPON EXCHANGE OF WRITTEN
NOTICES OF ACCEPTANCE BY EACH PARTY) (46).
2. THIS AGREEMENT SHALL REMAIN IN FORCE UNTIL
DECEMBER 31, 1985 UNLESS REPLACED EARLIER BY AN
AGREEMENT FURTHER LIMITING STRATEGIC OFFENSIVE ARMS.(47)

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HERE FOLLOWS FOOTNOTES OF TEXT:

- (1) IN THIS TEXT THE TERM " AGREEMENT" SHALL BE USED WITHOUT PREJUDICE AS TO WHETHER THE TREATY FORM OR THE EXECUTIVE AGREEMENT FORM SHOULD ULTIMATLEY BE UTILIZED.
- (2) THE PREAMBULAR REFERENCE RECOGNIZES THE INTERIM AGREEMENT. AN OPERATIVE ARTICLE STATEING THAT IT SHALL CONTINUE IN FORCE COULD BE INCLUDED, BUT IT WOULD BE LEGALLY SUPERFLOUS.
- (3) THIS PREAMBULAR PARAGRAPH IS IDENTICAL TO THE FOURTH PRE-AMBULAR PARAGRAPH IN TH ABM TREATY AND THE THIRD PREAMBULAR PARAGRAPH IN THE INTERIM AGREEMENT.
- (4) THIS PREAMBULAR PARAGRAPH IS BASED ON THE SECOND PREAMBLAR PARAGRAPH IN THE INTERIM AGREEMENT.
- (5) THIS PREAMBULAR PARAGRAPH IS BASED ON THE SECOND PREAMBULAR PARAGRAPH OF THE ABM TREATY.
- (6) THE FORMULATION- INCLUDING THE WORDS " LAND BASED"- PROVIDES THAT A SLBM AND AN ALBM CANNOT ALSO BE AN ICBM AND THEREFORE ARE NOT CONSTRAINED BY
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LIMITATIONS AFFECTING ONLY ICBMS. THIS FORMULATION WAS CONTAINED IN THE SOVIET DRAFT OF OCTOBER 9, 1973.

- (7) THIS LANGUAGE DEFINING THE RANGE OF AN ICBM IS FROM AGREED STATEMENT H ASSOCIATED WITH THE INTERIM AGREEMENT. INASMUCH AS THE DISTANCE REFERRED TO THEREIN CAN BE MEASURED DIFFERENTLY, PRODUCING RESULTS REANGING BETWEEN 5,431 AND 5,505 KILOMENTERS, IT WOULD BE PREFERABLE TO HAVE A PRECISE FIGURE.

- (8) THIS FORMULATION IS CONSISTENT WIT PARAGRAPH I, 2 OF THE SCC PROCEDURES FOR STRATEGIC OFFENSIVE ARMS WHICH HAS THE THE EFFECT OF PROVIDING THAT ANY SLBM, REGARDLESS OF RANGE, INSTALLED ON A NUCLEAR POWERED SUBMARINE OR FIRST FLIGHT-TESTED SINCE 1965, IS A STRATEGIC BALLISTIC MISSILE LIMITED BY THE INTERIM AGREEMENT. THIS ABOVE FORMLATION

WOULD EXCLUDE SLBMS ON THE SOVIET G-CLASS
SUBMARINE. THE SUBROC MISSILE ANTEDATES 1965 BUT COULD
BE INSTALLED ON A NUCLEAR POWERED SUBMARINE. THE RANGE EX-
CLUSION IS DESIGNED TO EXCLUDE SUBROC BUT INCLUDE
SS-NX-13.

(9) THE TERM " HEAVH BOMBER" WAS AGREED TO BY THE SOVETS AT
VLADIVOSTOK. DURING SALT ONE THE US AND THE SOVIETS
AGREED TO THE INCLUSION OF THE B-52, THE TUPOLEV 95
AND THE MYASISHCHEV AS STRATEGIC BOMBERS. BACKFIRE AND
B-1 WERE NOT CONSIDERED. THE TIRD SENTENCE OF THIS
DEFINITION IS SIMILAR TO LANGUAGE USED BY THE US IN
ITS AUGUST 4, 1970 PROPOSAL AT SALT ONE.

(10) THE 600 KILOMETER RANGE LIMIT EXEMPTS THE SHORT RANGE
ATTACK MISSILE FROM THE LIMIT ON AIR TO SURFACE
BALLISTIC MISSILES.

(11) THE EFFECT OF THE LANGUAGE OF SUBPARAGRAPH (D) WOULD
BE TO ESTABLISH THE POINT THAT THE LANGUAGE OF SUB
PARAGRAPH 2A OF THE US - SOVIET AIDE- MEMOIRE OF
DECEMBER 10, 1974 SHOULD NOT BE INTERPRETED TO MEAN
THAT THE 600 KILOMETER LIMITATION APPLIES TO BOTH
BALLISTIC AND CURISE MISSILES. AS WORDED , SUBPARAGRAPH
(D) WOULD PROVIDE THAT BALLISTIC MISSILES (INCLUDING
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THOSE OF INTERCONTINENTAL RANGE BECAUSE ICBMS
ARE DEFINED AS LAND BASED) ON AIRCRAFT OTHER THAN
HEAVY BOMBERS WOULD NOT BE STRATEGIC OFFENSIVE ARMS
AND THEREFORE WOULD NOT BE LIMITED.

(12) MIRV COUNTING RULE #4. THIS FORMULATION WOULD PROVIDE
THAT ANY ICBM, SLBM OR ALBM DEPLOYED WITH A BOOSTER
WHICH HAS BEEN FLIGHT TESTED ONCE WITH A MIRV SYSTEM
WOULD BE CONSIDERED TO BE A MISSILE EQUIPPED WITH A MIRV
SYSTEM FOR THE PRUPOSE OF THE IRV AGGREGATE LIMITATION.

(13) THIS DEFINITION IS CONSISTENT WITH US UNILATERAL
STATEMENT D ASSOCIATED WITH THE INTERIM AGREEMENT.
IT SHOULD BE MADE CLEAR IN THE NEGOTIATING RECORD
THAT THE SS-19 IS THE DIVIDING LINE BETWEEN A LIGHT
(NON HEAVY) AND A HEAVY ICBM.

(14) THE SECOND SENTENCE OF THIS PARAGRAPH IS NOT NECESSARY
FROM A LEGAL STANDPOINT AS FREEDOM TO MIX WOULD EXIST
IF THE AGREEMENT WAS SILENT ON THIS POINT. ITS
INCLUSION IS CONSISTENT WITH SUBPARAGRAPH 2(B) OF THE
US- SOVIET AIDE MEMOIRE OF DECEMBER 10, 1974 AND
CLARIFIES THE RIGHT TO DETERMINE THE COMPOSITION OF
THE AGGREGATE. ON THE OTHER HAND, SHOULD THE US AND THE
SOVIETS WISH TO RESTRICT FREEDOM TO MIX IN A
FUTURE AGREEMENT, THE INCLUSION OF KTHIS PROVISION IN
THIS AGREEMENT COULD MAKE SUCH A RESTIRCTIO MORE
DIFFICULT TO NEGOTIATE. IN ADDITION, INCLUSION OF

THIS BRACKETED SENTENCE COULD UNDERCUT US EFFORTS TO
TO INCLUDE CERTAIN COUNTING RULES TO ENHANCE VERIFICATION.

(15) THE PROVISIONS OF PARAGRAPHS 2 AND 3 OF ARTICLES III AND
IV OF THIS DRAFT, THE PRUPOSE OF WHICH ARE TO
ESSENTIALLY DETERMINE THE OPERATIONAL STATUS OF A
SYSTEM, ARE NTENDED TO BE ILLUSTRATIVE. IT MAY PROVE
DESIRABLE TO STATE SRICLES III AND IV IN BROAD TERMS
WITH SUCH PROVISIONS IN AN ANNEX OR PROTOCOL TO THE
AGREEMENT OR IN AN AGREED STATEMENT.

(16) THE TERM " LAND BASED"" NEED NOT BE USED HERE OR SUB-
SEQUENTLY TO MODIFY ICBM BECAUSE IT IS INCLUDED IN
THE DEFINITION .

(17) IF LAND AND AIR MOBILES WERE TO BE BANNED ALL THE PRO-
VISIONS- WITH THE EXCEPTION OF THE PROVISIONS STATING
THE BAN- FOR LAND MOBILE ICBMS AND ALBMS WOULD BE
DELETED.

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(18) SINCE IT IS UNCERTAN AS TO WHETHER MOBILE ICBM UNITS
WILL OPERATE FROM RECOGNIZABLE OPERATING OR SUPPORT
BASES, BOTH HAVE BEEN SPECIFIED HERE.

(19) IT WOULD APPEAR THAT IN GENERAL THE TERM "CONVERSION"
AS IT APPERARS IN THE ABM TREATY (ARTICLE II, 2(D)
AND THE INTERIM AGREEMENT (ARTICLE II, AGREED STATEMENT L)
IS INTENDED TO MENA THE ALTERATION OF A LAUNCHER TO
CARRY A DIFFERENT MISSILE. IT IS INTENDED TO HAVE THAT
MENAING HERE ALSO WHETHER OR NOT SUCH ALTERATION IS
OBSERVABLE, (I.E. MM II/III, SS-11/SS-17).

(20) THE TERM " MOTHBALLED" WAS USED IN PARAGRAPH 2 OF ARTICLE
II OF THE ABM TREATY AND COULD BE USED FERE IN PLACE OF
"STORAGE OR RESERVE".

(21) BASED ON THE LANGUAGE OF THE THIRD SENTENCE OF SUB-
PARAGRAPH 2A OF THE US - SOVIET AIDE- MEMORIE OF DECEMBER 10,
1974.

(22) THE LANGUAGE OF THE US - SOVIET AIDE MEMOIRE OF DECEMBER
10, 1974(SUBPARAGRPHS 2A AND 2C) COULD POSSILBY BE CONSTRUED SO
AS NOT TO INCLUDE AIR TO SUFRACE MISSILES WITHIN THE MIRV
AGGREGATE LIMITATION.

(23) SINCE NEITHER PATY WILL REACH THE AGGREAGTE LIMIT OF 1,320
SET FORTH IN THIS ARTICLE PRIOR TO THE EXPIRATION OF THE INTERIM
AGREEMENT, THIS LIMIT COULD COME INTO EFFECT UPON ENTRY INTO
FORCE OF THIS AGREEMENT.

AS WRITTEN, THE EFFECT OF TIS ARTICLE IS TO BRING INTO FORCE
THE MIRV AGGREGAGE LIMITATION AS WELL AS THE ASSOCIATED MIRV
VERIFICATION PROVISION (ARICLE V), UPON ENTRY INTO FORCE
OF THIS AGREEMENT.

(24) THIS PROVISION IS CONSISTENT WITH SUPBARAPTAPH 2(C)
OF THE US- SOVIET AIDE MEMOIRE OF DECEMBER 10, 1974. ALSO SEE
FOOTNOTE 14.

(25) SEE FOOTNOTE 15.

(26) THIS PHRASE IS BASED ON THE INTRODUCTORY CLAUSE IN

ARTICLE VI OF THE BM TREATY. AS AN ALTERNATIVE, THE PROVISIONS IN THIS PARAGRAPHS COULD BE TRATED IN AN ANNEX, PROTOCOL OR AGREED STATEMENT AS IN THE CASE OF THE PROVISIONS REFERRED TO IN FOOTNOTES 15 AND 25.

(27) IDENTICAL TO ARTICLE I OF THE INTERIM AGREEMENT EXCEPT FOR OMMISSION OF THE DATE, THE TERM " LAND BASED" AND THE ADDITION OF THE PHRASE " OR TO RELOCATE EXISTING FIXED LAUNCHERS".

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THE PRUPOSE OF THE LATTER CHANGE IS TO CODIFY THE UNDERSTNADING OF THE PARTIES AT SSLAT ONE THAT SILO RELOCATION IS PROHIBITED. THIS LANGUAGE COULD CREATE DIFFUCULTIES WITH RESPECT TO THE REPLACEMENT OF A SILO LANCHER IN AN EXISTING HOLE, BUT THIS PROBLEM COULD BE TREATED IN THE NEGOTIATING RECORD. IF THE SOVIETS OBJECT TO THE ADDITIONAL PHRASE, THIS INTERPRETATION COULD BE TREATED IN A COMMON UNDERSTANDING. THE WORD " FIXED " WOLD BE DELETED IF MOBILES ARE BANNED.

(28) IDENTICAL TO ARTICLE IIOF THE INTERIM AGREEMENT EXCEPT FOR DELETION OF THE TERM " LAND BASED" AND THE INCLUSION OF THE ALTERNATIVE " NON HEAVY".

(29) THIS PROVISION IS BASED ON AGREED STATEMENT J AND COMMON UNDERSTANDING A RELATED TO THE INTERIM AGREEMENT AND IS SUPPORTED BY PARAGRAPH 3 OF THE US - SOVIET AIDE MEMORIE OF DECEMBER 10, 1974. THE SECOND SENTENCE OF THIS PROVISION IS CONSISTENT WITH THE SOVIET POSITION AT VALDIVOSTOK AND WITH TESTIMONY PRESENTED BY ADMININSTRATION WITNESSES DURING DISCUSSIONS OF THIS ISSUE BY THE HOUSE AND SENATE ARMED SERVICES COMMITTEES IN THE CURSE OF CONSIDERATION OF THE SALT ONE AGREEMENTS IN 1972. IN SUCH CONGRESSIONAL TESTIMONY ADMINISTRATION WITNESSES ALSO STATED TAHT PURSUANT OT THIS UNDERSTANDING BOTH DEPTH AND DIAMETER COLD BE INCREASE IF THE COMBINATION DID NOT EXCEED 15 PERCENT. HOWEVER, IT WOULD BE SIMPLER AND PREFERABLE IF TIS RIGHT COULD BE LIMITED TO ONE DIMENSION ONLY. ALSO, ONLY ONE SUCH INCREASE SHOULD BE PERMITTED; THIS COULD BE MADE CLEAR IN THE NEGOTIATING RECORD.

(30) THIS PROVISION IS BASED ON THE FIRST SENTENCE OF PARAGRAPH 8 OF THE SCC PROTOCOL ON STRATEGIC OFFENSIVE ARMS. A DEFINITION OF A " NORMAL CONSTRUCTION SCHEDULE" FOR SLBM SUBMARINES IS CONTAINED IN THE SECOND SENTENCE OF PARAGRAPH 8. NORMAL MODERNIAZATION AND REPLACEMENT SHCEDULES FOR OTHER TYPES OF STAREGIC OFFENSIVE ARMS COULD BE DISCUSSED AT THE SCC. IT SHOULD BE NOTED THERE IS NO ATTEMPT IN THIS PROVISION TO RESTRAIN CONVERSION RATES.

(31) THE US USES OPERATIONAL SLBM LAUNCHERS FOR TEST AND TRAINING PURPPSES. ALBM LAUNCHERS FOR TEST AND TRAINING PURPOSES LOCATED ON AIRCRAFT WOULD BE DIFFICULT TO DIFFERENTIATE FROM OPERATIONAL LAUNCHERS. THERFORE, AS IS THE CASE WITH HEAVY BOMBERS, SUCH LAUNCHERS USED FOR TESTING AND TRAINING PURPOSES WOULD BE INCLUDED IN THE AGGREGATE.

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(32) THE ABM TREATY CONTAINS A SIMILAR PROVISION IN ARTICLE IV. THE SOVIETS IN ARTICLE XII OF THEIR OCTOBER 9, 1973 DRAFT INCLUDED LAUNCHERS FOR SPACE FLIGHTS. AGREED STATEMENT L PROVIDE FOR " NO SIGNIFICANT INCLRASE " IN THE TOTAL NUMBER OF TEST AND TRAINING LAUNCHERS. AS AN ALTERNATIVE, THIS LANGUAGE COULD BE USED INSTEAD OF A FIXED NUMBER IN THE SECOND SENTENCE OF THIS PROVISION. ALSO , IT MIGHT BE DESIRABLE FOR THE PARTIES TO DESIGNATE IN A COMMON UNDERSTANDING THEIR CURRENT TEST RANGES AND TO AGREE TO NOTIFY EACH OTHER AT THE SCC WITH RESPECT TO THE LOCATION OF FUTURE TEST RANGES.

(33) THIS PROVISION IS BASED ON AGREED STATEMENT L ASSOCIATED WITH THE INTERIM AGREEMENT. THE TERM " MODERN" MODIFYING " HEAVY " IS DELETED. IT SHOULD BE NOTED THAT SINCE CONSTRUCTION OF NEW OPERATIONAL FIXED ICBM LAUNCHERS WAS TERMINATED BY THE INTERIM AGREEMENT, IT COULD BE ARGUED THAT NO NEW ICBM LAUNCHERS NEED BE CONSTRUCTED FOR PURPOSES OF RESEARCH, DEVELOPEMNT, TESTING OR TRAINING. ON THE OTHER HAND, THE PARTIES MIGHT WISH TO RELOCATE SUCH LAUNCHERS AT FUTURE TEST RANGES.

(34) SIMILAR TO ARTICLE IV OF THE INTERIM AGREEMENT AND CONSISTENT WITH PARAGRAPH 4 OF THE US- SOVIET AIDE MEMOIRE OF DECEMBER 10, 1974 IT SHOULD BE NOTED THAT IN THE AIDE MEMOIRE MODERNIZATION AND REPLACEMENT IS PERMITTED SUBJECT ONLY TO ARTICLES I AND II OF THE INTERIM AGREEMENT.

(35) THE 1980-81 DATE MENTIONED IN THE VLADIVOSTOK JOINT US - SOVIET STATEMENT AND IN PARAGRAPH 6 OF THE US SOVIET AIDE MEMOIRE OF DECEMBER 10, 1974 IS OMITTED . IF THE SOVIETS OBJECT, THE DATE COULD BE INSERTED.

(36) THREE YEARS PRIOR TO EXPIRATION (1982) WOULD COINCIDE WITH THE SECOND REVIEW OF THE ABM TREATY PURSUANT TO PARAGRAPH 2 OF ARTICLE XIV THEREOF.

(37) THIS ARTICLE IS BASED ON ARTICLE VIII OF THE ABM TREATY. THE SECOND SENTENCE WOULD EFFECTUATE MIRV COUNTING RULE #5.

(38) THE FIRST TWO PARAGRAPHS OF THIS ARTICLE ARE IDENTICAL TO THE FIRST TWO PARAGRAPHS OF ARTICLE XII OF THE ABM TREATY AND THE FIRST TWO PARAGRAPHS OF ARTICLE V OF THE INTERIM AGREEMENT.

(39) THE THIRD PARAGRAPH OF THIS ARTICLE IS IDENTICAL TO THE THIRD PARAGRAPH OF ARTICLE XII OF THE ABM TREATY AND THE THIRD PARAGRAPH OF ARTICLE V OF THE INTERIM AGREEMENT EXCEPT FOR THE REFERENCE TO FLIGHT TEST PRACTICES (MIRV COUNTING RULE #6) AND THE CHANGE IN THE MODIFIER FOR "PRACTICES" IN THE SECOND SENTENCE FROM " CURRENT " TO " IN USE PRIOR TO THE DATE OF THE ENTRY INTO FORCE OF THE INTERIM AGREEMENT" (WHICH IS ASSOCIATED WITH RULE #6). UNDER THE ABM TREATY AND THE INTERIM AGREEMENT, ONLY CONSTRUCTION, ASSEMBLY, CONVERSION AND OVERHAUL PRACTICES IN USE PRIOR TO THE ENTRY INTO FORCE OF

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REFERENCE TO FLIGHT TEST PRACTICES (MIRV COUNTING RULE #6) AND THE CHANGE IN THE MODIFIER FOR "PRACTICES" IN THE SECOND SENTENCE FROM " CURRENT " TO " IN USE PRIOR TO THE DATE OF THE ENTRY INTO FORCE OF THE INTERIM AGREEMENT" (WHICH IS ASSOCIATED WITH RULE #6). UNDER THE ABM TREATY AND THE INTERIM AGREEMENT, ONLY CONSTRUCTION, ASSEMBLY, CONVERSION AND OVERHAUL PRACTICES IN USE PRIOR TO THE ENTRY INTO FORCE OF

THOSE AGREEMENTS ARE NOW PROTECTED FROM CHANGE.
THEREFORE, THE CUTOFF DATE OF THE INTERIM AGREEMENT COULD BE
JUSTIFIED AS TO THOSE PRACTICES.

(40) CONSISTENT WITH PARAGRAPH I, 6 OF THE SCC PROCEDURES
ON STRATEGIC OFFENSIVE ARMS.

(41) BASED ON PARAGRAPH XIII (I) (E) OF THE ABM TREATY.

(42) PARAGRAPHS (C) (H) OF THIS ARTICLE ARE SUBSTANTIALLY
THE SAME AS SUBPARAGRAPHS (A)- (D) , (F) AND (G) OF PARAGRAPH 1 OF
ARTICLE XIII OF THE ABM TREATY. THE US MAY WISH TO MAKE CLEAR IN
THE NEGOTIATING RECORD, IN LIEU OF LANGUAGE IN THE TEXT, THAT THE
TERM " VIABILITY" EMBRACES NEW VERIFICATION PROVISIONS
WHICH MAY BE NECESSITATED BY THE DEVELOPMENT OF NEW TYPES OF
STRATEGIC OFFENSIVE ARMS AS WELL AS OTHER
MATTERS.

(43) THIS ARTICLE IS IDENTICAL TO PARAGRAPH 2 OF ARTICLE XIV
OF THE ABM TREATY.

(44) THIS ARTICLE IS IDENTICAL TO PARAGRAPH 2 OF ARTICLE
XV OF THE ABM TREATY AND PARAGRAPH 3 OF ARTICLE VIII
OF THE INTERIM AGREEMENT.

(45) THIS PARAGRAPH IS IDENTICAL TO PARAGRAPH 1 OF ARTICLE XVI
OF THE ABM TREATY AND WOULD BE APPROPRIATE IF THE
TREATY FORM IS USED.

(46) THIS PARAGRAPH IS BASED IN PART ON PARAGRAPH 1 OF
ARTICLE VIII OF THE INTERIM AGREEMENT AND WOULD BE
APPROPRIATE IF THE EXECUTIVE AGREEMENT FORM IS USED.

(47) THIS PARAGRAPH IS BASED ON THE FIRST SENTENCE OF
PARAGRAPH 2 OF ARTICLE VIII OF THE INTERIM AGREEMENT.
JOHNSON

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